IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

	ORDER	
Defendant.)	
DEPUTY MICHAEL DAY,)	
v.)	CV 114-173
Plaintiff,)	
TERRANCE DEION CURRY,)	

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **GRANTS** Plaintiff's motion to dismiss without prejudice, (doc. no. 51), under the conditions described in the Report and Recommendation, (doc. no. 54, pp. 5-6), and **DENIES AS MOOT** Defendant's motion for summary judgment, (doc. no. 39). Upon the foregoing, the case is **DISMISSED** without prejudice and shall be **CLOSED**.

SO ORDERED this 24 day of August, 2016, at Augusta, Georgia,

HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE